IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 21434 of 2004

Between:

1 G.W.Ch.Soloman Raju, S/o. G. Gnana Prakash,
O/o. Director of Govt. Examinations. A.P., Hyderabad.
2 K. Suvarna Raju, S/o. Brahmaiah,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
3 Syed Ibraheem, S/o. Syed Moula,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
4 Koyya Jaya Prakash, S/o. K. Suryaprakash Rao,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
5 D. Ramachandra Murthy, S/o. D. Venkateswara Rao,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
6 P. Satyam, S/o. P. Sattenna,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
7 G. Subba Rao, S/o. Gantaiah,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
8 G. Jagadeeshwar, S/o. Balaramaiah,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
9 Kuravi Jaya Prakash, S/o. K. Dora Swami,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
10 M. Muneiah, S/o. M. Muneiah,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
11 Shankar, S/o. Devji,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
12 J. Balarajeswar, S/o. Parameshwara Rao,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
13 P. Chinna Babu, S/o. Venkanna,
O/o. Director of Govt. Examinations, A.P., Hyderabad.
14 P. Ram Babu, S/o. Gopala Krishna,
O/o. Director of Govt. Examinations, A.P., Hyderabad.

..... PETITIONERS.

AND

1. The Secretary to Government,

   Government of A.P.,

   General Administration (Services-D) Dept.,
   Secretariat, Hyderabad.
   2 The Director,

   Govt Examinations, A.P.

   Chapel Road, Nampally, Hyderabad.
   3 Enti Malla Reddy, Assistant Commissioner,
   O/o. Director of Govt. Examinations, A.P., Chapel Road,

   Nampally, Hyderabad.
   4 A.D.K. Ravinder Rao, Assistant Commissioner,
   O/o. Director of Govt. Examinations, A.P. Chapel Road,

   Nampally, Hyderabad.
   5 S. Chenna Kishan, Superintendent,
   O/o. Director of Govt. Examinations, A.P. Chapel Road,

   Nampally, Hyderabad.
   6 S.M. Shafiuddin,
   O/o. Director of Govt. Examinations, A.P. Chapel Road,

   Nampally, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an order, direction more particularly on the respondents in the nature of writ of Certiorari calling for records relating to order in O.A.5378/2004 on the file of the A.P. Administrative Tribunal, at Hyderabad dt. 11.10.2004 and to quash the same to the extent refusing to grant interim direction and consequently to suspend the operation of the order in R.C.No.26/A1-1/2003, dt. 02.09.2004 so far it relates to the promotion given to respondents 3 & 4 and stay all further promotions to the post of Asst. Commissioner, Department of Government Examinations that are going to be effected on the basis of the panal prepared for the year 2004-2005 by extending the benefit under G.O.Ms.No. 145, General Administration (SER-D), Dt. 15.06.2004, reopening the entire issue and re-settling the things depriving the chances of promotion to the applicants in the interest of justice, pending disposal of O.A.5378/2004.

Counsel for the Petitioners: MR.V.VENUGOPALA RAO

For the Respondent Nos 1 & 2.: GP FOR Services I.

The Court at the stage of admission made the following :

ORDER: (Per the Hon'ble Sri Justice G.Bikshapathy)

This writ petition is filed challenging the order dated 11-10-2004 passed by the A.P. Administrative Tribunal, Hyderabad in O.A.No.5378 of 2004.

2. While admitting the O.A., notice was issued to the respondents for passing appropriate orders in respect of interim relief. However, the Tribunal observed that any promotions meanwhile should be subject to the result of the O.A. Against the said orders, the present writ petition has been filed.

3. At the threshold, the writ petition itself is not maintainable as no adverse order was passed against the interest of the petitioner. Under those circumstances, the writ petition is not maintainable.

4. Accordingly, the writ petition is dismissed. No order as to costs. However, it is desirable that the Tribunal has to pass appropriate interim order within a reasonable time.

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(G.BIKSHAPATHY,J)

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(P.S.NARAYANA,J)

Date: 24th November, 2004

BSB/CHVN

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary to Government,
Government of A.P.,
General Administration(Ser-D),
Dept., Secretariat, Hyderabad.

2. The Director, Govt. Examinations, A.P. Chapel Road,
Nampally, Hyderabad.

3. Two C.Cs. to the G.P. for Services I, High Court of
A.P., Hyderabad.(OUT).

4. The Chairman, A.P. Administrative Tribunal, Hyderabad.

5. Two C.D. copies.